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PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

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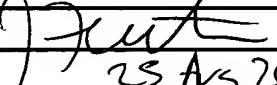
(to be used for all correspondence after initial filing)

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| Application Number Filing Date First Named Inventor Art Unit Examiner Name | 10/053,931 January 22, 2002 Dana C. Mears 3732 Michael B. Priddy |
| Total Number of Pages in This Submission | Attorney Docket Number |
| | ZM0414DIV1 |

ENCLOSURES (Check all that apply)

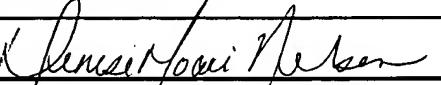
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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks Form PTO1449 Copy of European Search Report Foreign References Cites Return Receipt Postcard | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | Jonathan D. Feuchtwang, Reg. No. 41,017 Zimmer Technology, Inc. |
| Signature |  |
| Date | 25 Aug 2004 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

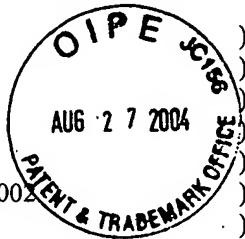
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| Typed or printed name | DeniseMoani Nelson | | |
| Signature |  | | |
| | Date | 25 Aug 04 | |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mears et al
 Serial No.: 10/053,931
 Filed: January 22, 2002
 For: METHOD AND APPARATUS FOR
 PERFORMING A MINIMALLY
 INVASIVE TOTAL HIP
 ARTHROPLASTY
 Art Unit: 3732
 Examiner: Michael B. Priddy



I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

August 25, 2004
 Date


 Attorney for Applicants
 Registration No. 41,017

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This IDS is submitted under 37 C.F.R. §1.97(c), after the C.F.R. §1.97(b) time period, but before the mail date of a Final Office Action or a Notice of Allowance (whichever occurs first), with either:

- (a) a statement under 37 C.F.R. §1.97(e); or
- (b) the \$180.00 fee under 37 C.F.R. §1.17(p).

Applicant(s) submit herewith Form PTO-1449 (Information Disclosure Citation) together with copies of patents, publications or other information of which applicant n(s) are aware, which applicant(s) believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56. Applicant(s) respectfully submit that the citation of any reference on Form PTO-1449 does not constitute an admission that the reference qualifies as prior art.

It is requested that the information disclosed on the enclosed Form PTO-1449 be made of record in this application.

Statement Under 37 C.F.R. §1.97(e):

(X) The enclosed references were cited in a Communication issued by the European Patent Office (copy enclosed). Applicant(s) hereby certify(ies) that each item of information cited on the enclosed Form PTO-1449 was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.

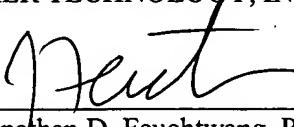
(X) Applicant(s) hereby certify(ies) that no item of information cited on the enclosed Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information cited on the enclosed Form PTO-1449 was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Enclosed is a check for \$180.00 to cover the fee as set forth in 37 C.F.R. § 1.17(p).

The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or to credit any overpayment, to Deposit Account No. 50-2779. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

ZIMMER TECHNOLOGY, INC.

By: 
 Jonathan D. Feuchtwang, Reg. No. 41, 017

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 Chicago, Illinois 60606
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PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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of

Complete if Known

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|------------------------|-------------------|
| Application Number | 10/053,931 |
| Filing Date | January 22, 2002 |
| First Named Inventor | Dana Mears |
| Art Unit | 3732 |
| Examiner Name | Michael B. Priddy |
| Attorney Docket Number | ZM0414DIV1 |

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | FOREIGN PATENT DOCUMENT | | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|---|-----------------------------|---|---|----------------|
| | | Foreign Patent Document | Publication Date MM-DD-YYYY | | | |
| | | Country Code ³ ~Number ⁴ ~Kind Code ⁵ (if known) | | | | |
| | | EP 1,149,562A | 10/31/01 | Bristol-Myers | Par.3 Figs.9,10 | |
| | | WO 03/065906A | 08/14/03 | Chana | Figs. 1-4 | |
| | | FR 1,041,311 A | 10/22/53 | Chevalier | See Report | |
| | | | | | | |
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| | | | | | | |

**Examiner
Signature** _____ **Date
Considered** _____

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